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EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

## RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on 3rd March, 2008:—

### BILL No. XV OF 2008

*A Bill to amend the Food Safety and Standards Act, 2006.*

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Food Safety and Standards (Amendment) Act, 2008.
- (2) It shall be deemed to have come into force on the 7th day of February, 2008.

Short title and  
commence-  
ment.

34 of 2006.

2. In the Food Safety and Standards Act, 2006 (hereinafter referred to as the principal Act), in section 3, in sub-section (1), for clause (ze), the following clause shall be substituted, namely:—

Amendment  
of section 3.

“(ze) “Member” includes a part-time Member and the Chairperson of the Food Authority;”.

3. In section 5 of the principal Act, for sub-sections (4) and (5), the following sub-sections shall be substituted, namely:—

Amendment  
of section 5.

“(4) The Chairperson and the Members including part-time Members other than the *ex officio* Members of the Food Authority may be appointed by the Central Government on the recommendations of the Selection Committee.

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(5) The Chairperson of the Food Authority shall not hold any other office.”.

Amendment  
of section 7.

4. In section 7 of the principal Act, in sub-section (1), for the proviso, the following proviso shall be substituted, namely:—

“Provided that the Chairperson shall not hold office as such after he has attained the age of sixty-five years.”.

Repeal and  
saving.

5. (1) The Food Safety and Standards (Amendment) Ordinance, 2008 is hereby repealed.

Ord. 6 of  
2008.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

## STATEMENT OF OBJECTS AND REASONS

With a view to consolidate the laws relating to the Food in the country and for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption and for that purpose to establish the Food Safety and Standards Authority of India, Parliament enacted the Food Safety and Standards Act, 2006 (*FSS Act*).

2. Sub-section (4) of section 5 of the said *FSS Act* empowers the Central Government to appoint the Chairperson and Members, other than *ex officio* Members, of the Food Authority on the recommendations of the Selection Committee. Sub-section (5) of section 5 of the *FSS Act* prohibits holding of any other office by the Chairperson and Members of the Food Authority. This provision led to difficulties in constituting the Food Authority.

3. The Central Government was of the view that the Members of the Food Authority may also be appointed on part-time basis since it may not be possible to appoint eminent persons as Members of the Food Authority for the reason that they would be holding some other office or appointment in some industry/organisation which they represent. Therefore, section 5 of *FSS Act* has been amended. Section 7(1) of the *FSS Act* was also amended to take out the Members from the purview of the provisions which restrict the appointment of the Members to a maximum of 62 years of age.

4. As Parliament was not in session and the circumstances existed which rendered it necessary to promulgate the Food Safety and Standards (Amendment) Ordinance, 2008 on 7th February, 2008 so as to expedite the selection and appointment of Chairperson and Members of the Food Authority.

5. The Food Safety and Standards (Amendment) Bill, 2008 seeks to replace the Food Safety and Standards (Amendment) Ordinance, 2008.

ANBUMANI RAMADOSS.

V. K. AGNIHOTRI,  
*Secretary-General.*